

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In accordance with the requirements of the Court’s Protective Order [Dkt. No. 57], this matter came before the Court on the motion of Plaintiffs for an order sealing (a) Exhibit A to the Declaration of Jeffrey Thomas [Dkt. No. 114], (b) Exhibit A to the Supplemental Declaration of William C. Smart [Dkt. No. 117], and (c) Plaintiffs’ Replies in Support of Class Certification and for Application of Washington Law [Dkt. Nos. 112 and 115]. Thereafter, defendant Microsoft Corporation (“Microsoft”) filed its Response to Plaintiffs’ Motion to Seal for the purpose of making the showing required by CR 5(g).

The Court has considered the papers filed in support of and in opposition to the relief requested in the motion and the attachments thereto. Based on these materials, the Court hereby

GRANTS the requested protective order.

PROTECTIVE ORDER SEALING CERTAIN CONFIDENTIAL
DOCUMENTS AND RELATED BRIEFING
UNDER CR 5(g) (NO. C07-475 MJP) – 1

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1 The Clerk is directed to maintain under seal the following documents in the record:

2 1. Exhibit A to the Declaration of Jeffrey Thomas, filed under seal with the Court
3 on December 19, 2007 [Dkt. No. 114];

4 2. Exhibit A to the Supplemental Declaration of William C. Smart, filed under
5 seal with the Court on December 19, 2007 [Dkt. No. 117]; and

6 3. Plaintiffs' Reply in Support of Motion for Class Certification, filed under seal
7 with the Court on December 19, 2007 [Dkt. No.112].

8 By agreement of the parties, Plaintiffs' Reply in Support of Motion for Application of
9 Washington Law, filed under seal with the Court on December 19, 2007 [Dkt. No.115], need
10 not remain under seal. The Clerk is hereby directed to unseal Docket No. 115.

11 Plaintiffs counsel are directed, within 10 days of the date of this Order, to file for the
12 public record a redacted version of Plaintiffs' Reply in Support of Motion for Class
13 Certification [Dkt. No. 112], fully obscuring the confidential information addressed in this
14 Order. In preparing the redacted version, Plaintiffs' counsel shall redact not only material
15 quoted verbatim from the confidential documents that this Order directs remain under seal but
16 also any text that summarizes or paraphrases the confidential information remaining under
17 seal.

18 It is so ordered.

19 DATED this _____ day of _____, 2008.

22 The Honorable Marsha J. Pechman
23 United States District Judge

24 Presented by:

25 Davis Wright Tremaine LLP
26 Attorneys for Defendant Microsoft Corporation

27 By */s/ Stephen M. Rummage*
28 Stephen M. Rummage, WSBA #11168

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CERTIFICATE OF SERVICE

I hereby certify that on January 10, 2008, I electronically filed the foregoing
[Proposed] Protective Order Sealing Certain Confidential Documents and Related Briefing
with the Clerk of the Court using the CM/ECF system which will send notification of such
filing to the following:

Jeffrey I. Tilden: jtilden@gordontilden.com
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DATED this 10th day of January, 2008.

Davis Wright Tremaine LLP
Attorneys for Microsoft Corporation

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UNDER CR 5(g) (NO. C07-475 MJP) – 3

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